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May 19, 2010

**Holmes S. Adams**

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**By Fax and UPS Overnight**

Ms. Allison R. Brown  
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Educational Opportunities Section, Suite 4300  
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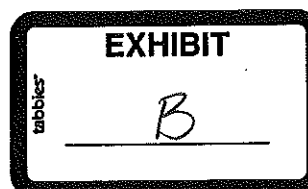
Re: United States and Barnhardt v. Meridian Municipal Separate School  
District, United States District Court for the Southern District of  
Mississippi, Civil Action No. 1300

Dear Ms. Brown:

I reply to your letter of May 12, 2010 regarding complaints your office received with regard to the Meridian School District and its desegregation case.

Student Discipline Policies. The information you received from a complainant about a new policy with respect to student fights or violence at school is incorrect. The District has no new policy. I enclose copies of the District's policies on Unlawful or Violent Acts (dated June 17, 2008) and the policy against Fighting (revised August 17, 2009). Both policies were in effect when former Superintendent Kent was in office, and the Board of Trustees approved both. Note that the Fighting policy specifically states that "[i]f and when the student's behavior is considered severe by administrators and/or violates the law, the student will be referred to law enforcement officials." Therefore, the District's policy leaves to each school administrator's judgment when law enforcement should be involved.

One criticism by the Board of former Superintendent Kent was that he did not implement District policies. Therefore, when Dr. Terry Larabee, Director of the Office of Exceptional Child Education, became interim Superintendent upon Mr. Kent's departure in late February, 2010, Dr. Larabee made clear that District policies would be enforced. He did not, however, select any particular policy nor did he emphasize the policy against student fighting over any others.





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On March 10, 2010, Ms. Shannon Miller, Director of High School Redesign, and her assistant, Ms. Monica Cryer, both black, sent a memo, dated March 10, 2010, to principals enclosing copies of police affidavits for disorderly conduct and for possession of weapons so that if principals decided to involve authorities at their schools, there would be no need for the principals to go to the police department to file charges. Interim Superintendent Larabee did not know that Ms. Miller and Ms. Cryer sent the memo, and became aware of its existence at a later Board meeting when a student's grandparent showed it to him. This memo, however, does not rise to the level of policy, does not represent a change in Board policy, and does not require Board approval.

Personnel. The District, like all public school districts in Mississippi and elsewhere, faces unprecedented budgetary and financial constraints for the coming school year. The State made mid-year budget cuts during this school year. For the coming school year 2010-11, the District must make further substantial cuts to balance its budget. Also, the District anticipates an additional mid-year cut during the coming school year and more funding issues for school year 2011-12. Facing these financial realities, the Board of the District and its interim Superintendent has acted responsibly to attempt to balance its budget. The District is taking cost-cutting measures without regard to race. It will furlough all certified and non-certified employees for two days next year. It has decided to reduce the local supplement by \$600 for all teachers.

The District also intends to implement a reduction in force for both certified and non-certified employees. The District anticipates that several teachers will be subject to a RIF. The District will RIF non-certified teaching assistants for the second grade at all schools.

In addition to reduction in force, the District is non-renewing certified employees for performance issues or other educational reasons. For example, if an employee has not obtained credentials necessary to be considered "highly qualified" under applicable law, the employee was notified of non-renewal. Some employees have exercised their rights under state law to a public hearing on their non-renewals. These hearings are pending.

In response to both budgetary concerns and performance concerns, the District has also decided to reduce its administrative staff. The District believes that creation of new administrative positions and associated personnel changes made in the past year or so were either unwise, unnecessary, or too costly to justify under the current financial circumstances. For example, the newly created position of associate principal at Meridian High was not essential to the functioning of the school. The former Superintendent created this position without even advance consultation with the high school principal. M.D. Cameron, a black, held this position; he was non-renewed and did not request a hearing.

The position of assistant principal for exceptional children at the high school is also being eliminated. This position was created by prior Superintendent Autry, white.



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Branda Kornegay, a black, occupies the position for this school year. Interim Superintendent Larabee will handle with duties with assistance from lower-paid staff. Ms. Kornegay was non-renewed, and she has requested a hearing.

The positions of Director of Curriculum and Professional Development (held by Ferlinda Travis, black) and Director of School Improvement and Assessment (held by Amy Carter, black), will be combined, thereby eliminating another administrative position. Ms. Travis has been notified of her non-renewal, and she has requested a hearing. Ms. Carter will assume the combined position.

The Director of Human Resources, Muriel Sutton, a black, appointed by former Superintendent Kent, was terminated. She had limited HR experience as an insurance clerk. This is not a certified position, and under state law she was not entitled to a hearing.


The following principals and assistant principals have resigned: Rhonda Holloman, white, resigned as principal at Crestwood Elementary; Dr. James Swindell, black, resigned as assistant principal at Northwest; Wanda Kendrick, a black, resigned as principal of T. J. Harris; and Vicky Hood, black, resigned as principal of Meridian High.

Your letter advances the position that these actions "implicate" the District's desegregation obligations. While the District is sensitive to issues of race and mindful of its desegregation order, its desegregation order does not prevent it from operating the District in a fiscally responsible manner. Further, the desegregation order does not require the District to provide information about student discipline. By providing this response, the District expressly does not waive the District's position that its desegregation order does not address these matters.

I am not willing to agree to your "interviewing" the Superintendent or any Board members. If you contend that the District is not in compliance with the desegregation order, then you may consider noticing depositions. I would appreciate your continued courtesy to accommodate my schedule if you decide to set depositions.

If you have further questions, please contact me.

Sincerely,



Holmes S. Adams

Enclosures

c: Interim Supt. Dr. Terry Larabee  
Mr. John Compton



MERIDIAN PUBLIC SCHOOL DISTRICT  
POLICIES OF THE BOARD OF TRUSTEES  
**SECTION J - STUDENTS**

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**UNLAWFUL OR VIOLENT ACTS**

JCDAI  
June 17, 2008

Any unlawful or violent act is absolutely prohibited on school property or during school-related activities.

**Disciplinary Action**

A student shall be subject by automatic suspension and recommendation of expulsion by the superintendent or principal when there exists reasonable grounds to believe that a student has committed an unlawful or violent act on school property, during school-related activities or otherwise when the commission of the unlawful or violent act has or threatens a disruptive effect on the educational process or threatens the safety of the student or others. Such suspension pending expulsion shall take effect immediately subject to the procedures of due process stated in Policy JDF.

**Reporting**

All school employees shall report unlawful activities and violent acts in accordance with Policies JDDAI and JCDAK.

**Definitions**

An "unlawful activity" means any of the following:

1. Possession or use of a deadly weapon;
2. Possession, sale or use of any controlled substance;
3. Aggravated assault;
4. Simple assault upon any school employee;
5. Rape;
6. Sexual battery;
7. Murder;
8. Any violent act.

A "violent act" is one which results in or is an attempt to cause death or physical harm of another person.

"School property" includes any school building, bus, campus, grounds, recreational area, athletic field or other property owned used or operated by the district.



MERIDIAN PUBLIC SCHOOL DISTRICT  
POLICIES OF THE BOARD OF TRUSTEES  
**SECTION J - STUDENTS**

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**FIGHTING**

JCDAE  
Revised: August 17, 2009

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**Grades K-12**

Students who engage in fighting or who are responsible in any way for fighting while under the jurisdiction of the school will be subject to suspension and/or a recommendation for alternative placement/expulsion. If and when the student's behavior is considered severe by administrators and/or violates the law, the student will be referred to law enforcement officials.





## Meridian Public School District

### Student Services

1019 25<sup>th</sup> Avenue  
Meridian, MS 39301  
601-484-4916  
FAX: 601-484-4917

To: Principals

From: Shannon Miller/Monica Cryer

Re: Police Affidavits

Date: March 10, 2010

Attached are two police affidavits. One for disorderly conduct (fighting, etc.), and the other is for possession of a weapon (gun, knife, etc.). When a fight or felonious infraction occurs, contact the central office and the police department. Please complete the appropriate affidavit before the police officer arrives. (You will no longer need to file charges at the police department, unless the child is eighteen or older). Keep a copy of the completed affidavit at your site and forward a copy to me at CO.

Please call if you have questions.

Monica